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OFFICE OF PETITIONS

In re Patent No. 7,373,184 : LETTER REGARDING
Yuuhei Kurono : PATENT TERM ADJUSTMENT
Issue Date: May 13, 2008 : and
Application No. 10/757,522 : NOTICE OF INTENT TO ISSUE
Filed: January 15, 2004 : CERTIFICATE OF CORRECTION
Atty Docket No. 04329.3221 :

This is in response to the "DETERMINATION OF PATENT TERM ADJUSTMENT - POST GRANT," filed July 14, 2008. Pursuant to their duty of candor and good faith to the Office, patentees request review of the patent term adjustment indicated on the patent.

The request for review of the patent term adjustment is **GRANTED**.

The patent term adjustment indicated in the patent is to be corrected by issuance of a certificate of correction showing a revised Patent Term Adjustment of five hundred forty-four (**544**) days.

On May 13, 2008, the application matured into U.S. Patent No. 7,373,184, with a revised patent term adjustment of 598 days. Patentees point out that a response was filed on November 13, 2007, in response to a final Office action dated June 20, 2007.

A review of the record reveals that in response to the Office action mailed June 20, 2007, patentees did not file an RCE until October 19, 2007, three months and 29 days later. As such, a period of reduction of 29 days should have been entered pursuant to 37 CFR 1.704(b).

Moreover, there was an omission in the RCE and amendment filed October 19, 2007 (See Notice of Non-compliant Amendment mailed October 26, 2007). Patentees filed the response correcting this omission on November 13, 2007. As such a period of reduction of 25 days should have been entered pursuant to 37 CFR 1.704(c)(7), (counting the number of days beginning on October 20, 2007 and ending on November 13, 2007).

As such, the patent should have issued with a revised determination of the patent term adjustment of five hundred forty-four (544) days.

As this letter was submitted as an advisement to the Office of an error in Patentees' favor, the Office will not assess the \$200.00 fee under 37 CFR 1.18(e). The Office thanks Patentees for their good faith and candor in bringing this to the attention of the Office.

The application file is being forwarded to the Certificates of Correction Branch for issuance of a certificate of correction in order to rectify this error. The Office will issue a certificate of correction indicating that the term of the above-identified patent is extended or adjusted by five hundred forty-four (**544**) days.

Telephone inquiries specific to this matter should be directed to the undersigned at (571) 272-3219.



Nancy Johnson
Senior Petitions Attorney
Office of Petitions

Enclosure: Copy of DRAFT Certificate of Correction

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT : 7,373,184 B2

DATED : May 30, 2008

DRAFT

INVENTOR(S) : Kurono

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page,

[*] Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 USC 154(b) by 598 days

Delete the phrase "by 598 days" and insert – by 544 days--